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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

MARVIN ROBERTS, GEORGE FRESE,)	
KEVIN PEASE, and EUGENE VENT,)	
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF FAIRBANKS, JAMES GEIER,)	
CLIFFORD AARON RING, CHRIS NOLAN,)	
DAVE KENDRICK, DOE OFFICERS 1-10,)	
and DOE SUPERVISORS 1-10,)	Case No. 4:17-cv-00034-SLG
)	Case No. 4:17-cv-00035-SLG
Defendants.)	
)	<i>Consolidated Cases</i>

MOTION TO ESTABLISH WAIVER OF PRIVILEGE/CONFIDENTIALITY

The City of Fairbanks and Officers Geier, Ring, Nolan and Kendrick move the Court for an order establishing that Plaintiffs have waived attorney-client privilege and

1 work product protections with their post-conviction relief counsel by placing the
2 voluntariness of their settlement agreements at issue, and that information about the
3 mediation at which those settlement agreements were reached is relevant and
4 discoverable. Undersigned counsel Matthew Singer certifies that he has conferred with
5 Plaintiffs' counsel in good faith in an attempt to resolve the issues raised in this motion
6 without the Court's intervention, but the parties were unable to do so.¹ This motion is
7 supported by the memorandum of law, declaration of counsel, and exhibits submitted
8 herewith.
9
10

11 DATED at Anchorage, Alaska this 19th day of July, 2021.

12 SCHWABE, WILLIAMSON & WYATT PC
13 Attorneys for Defendant City of Fairbanks
14

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¹ See Declaration of Counsel and Exhibit 1, submitted herewith.

1 CERTIFICATE OF SERVICE

2 I hereby certify that on July 19, 2021, a true and correct copy of the foregoing document
3 was served via the Court's CM/ECF electronically on the following counsel of record:

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